

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

UNITED STATES OF AMERICA)	
)	
v.)	CR. NO. 2:21-CR-49-MHT-JTA-3
)	
WILLIAM RICHARD CARTER, JR.)	
)	

JOINT STATEMENT REGARDING RESTITUTION

Comes now the United States of America, by and through Alice S. LaCour, Attorney for the United States Acting Pursuant to Authority Granted by 28 U.S.C. § 515 and the attorneys for Defendant William Richard Carter, Jr, and file this joint statement regarding restitution.

The parties acknowledge that restitution is mandatory. 18 U.S.C. § 3663A(a), (c). However, at this time, any victim’s losses are not yet ascertainable. See 18 U.S.C. § 3664(d)(5). Specifically, the government needs additional time to consult with the Alabama State Department of Education, as well as any other possible victim regarding restitution requests.

Additionally, more than one defendant contributed to the loss for which Carter owes restitution—namely, Co-defendants William Lee Holladay, III; Gregory Earl Corkren; David Webb Tutt; and Thomas Michael Sisk. Accordingly, the Court will have to consider whether to “make each defendant liable for payment of the full amount of restitution” or to “apportion liability among the defendants to reflect the level of contribution to the victim’s loss and economic circumstances of each defendant.” 18 U.S.C. § 3664(h). This analysis will require findings about the relative culpability and financial circumstances of each defendant. Presently, the record does not contain sufficient information to make such findings.

For these reasons, the government and Carter agree that the Court should refrain from ruling on the restitution issue at this time and instead schedule a restitution hearing involving all defendants for some date within 90 days of Carter's sentencing hearing. 18 U.S.C. § 3664(d)(5).

Respectfully submitted, this 12th day of April, 2022.

ALICE S. LACOUR
ATTORNEY FOR THE UNITED STATES
ACTING UNDER AUTHORITY
CONFERRED BY 28 U.S.C. § 515

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CERTIFICATE OF SERVICE

I hereby certify that on April 12, 2022, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all counsel of record.

Respectfully submitted,

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